

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,
v.
MORGAN BRYANT,
Defendant.

NO. CR18-209 RSL

DISCOVERY PROTECTIVE ORDER

This matter, having come to the Court's attention on the Stipulation for Entry of a Discovery Protective Order submitted by the United States of America and Defendant Morgan Bryant, and the Court, having considered the motion, and being fully advised in this matter, hereby enters the following PROTECTIVE ORDER:

1. Protected Material

Medical records pertaining to treatment sought by the individual identified in the Indictment as "Jane Doe" are deemed Protected Material. The United States will make available copies of the Protected Materials, including those filed under seal, to defense counsel to comply with the government's discovery obligations. Possession of copies of the Protected Materials is limited to the attorneys of record, and investigators, paralegals, law clerks, experts, and assistants for the attorneys of record (hereinafter collectively referred to as members of the defense team).

1 2. Scope of Review of Protected Material

2 Defense attorneys of record and members of the defense team may display and
3 review the Protected Material with the Defendant. The attorneys of record and members
4 of the defense team acknowledge that providing copies of the Protected Material to the
5 Defendant and other persons is prohibited, and agree not to duplicate or provide copies of
6 Protected Material to the Defendant and other persons. Notwithstanding the terms of this
7 Order, defense counsel may provide electronic copies of any Protected Material to the
8 Education Department in the Federal Detention Center at SeaTac, Washington, along
9 with a completed copy of the FDC's Electronic Discovery and Legal Material
10 Authorization Form. Defendant will not be permitted to have a copy of this material in
11 his cell, but may review it at the FDC Education Department pursuant to BOP and FDC
12 SeaTac's policies and procedures.

13 3. Consent to Terms of Protective Order

14 The attorney of record for the Defendant is required, prior to disseminating any
15 copies of the Protected Material to permitted recipients, such as other members of the
16 defense teams, to provide a copy of this Protective Order to those permitted recipients,
17 and to obtain the written consent by those recipients of the terms and conditions of this
18 Protective Order. Such written consent shall not, however, be required with respect to
19 members of the defense teams who are employed by the same office as the attorney of
20 record; in such case, it shall be sufficient for the attorney of record to provide a copy of
21 this Protective Order to such other members of the defense teams and to remind them of
22 their obligations under the Order. The written consent need not be disclosed or produced
23 to the United States unless requested by the United States Attorney's Office for the
24 Western District of Washington and ordered by the Court.

25 4. Parties' Reciprocal Discovery Obligations

26 Nothing in this order should be construed as imposing any discovery obligations
27 on the government or the defendant that are different from those imposed by case law and
28 Rule 16 of the Federal Rules of Criminal Procedure, and the Local Criminal Rules.

1 5. Filing of Protected Material

2 Any Protected Material that is filed with the Court in connection with pre-trial
3 motions, trial, sentencing, or other matter before this Court, shall be filed under seal and
4 shall remain sealed until otherwise ordered by this Court. This does not entitle either
5 party to seal their filings as a matter of course. The parties are required to comply in all
6 respects to the relevant local and federal rules of criminal procedure pertaining to the
7 sealing of court documents.

8 6. Nontermination

9 The provisions of this Order shall not terminate at the conclusion of this
10 prosecution. The provisions of this Order shall terminate only by court order.

11 7. Violation of Protective Order

12 Any violation of any term or condition of this Order by the Defendant, his
13 attorney(s) of record, any member of the defense team, or any attorney for the
14 United States Attorney's Office for the Western District of Washington, may be held in
15 contempt of court, and/or may be subject to monetary or other sanctions as deemed
16 appropriate by this Court.

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1 If the Defendant violates any term or condition of this Order, the United States
2 reserves its right to seek a sentencing enhancement for obstruction of justice, or to file
3 any criminal charges relating to the Defendant's violation.

4 DATED this 24th day of Sept., 2018.
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8 ROBERT S. LASNIK
9 United States District Court Judge

10 Presented by:

11 /s/ Rebecca S. Cohen
12 REBECCA S. COHEN
13 Assistant United States Attorney

14 /s/ Jesse Cantor
15 JESSE CANTOR
16 Attorney for Defendant
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